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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,087	09/29/2000	Jaideep Jain	50544.000006	2157

7590 12/31/2003

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EXAMINER
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LEE, DOUGLAS S

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 12/31/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/677,087

Applicant(s)

JAIN ET AL.

Examiner

Douglas S Lee

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Kennedy et al. (US Pat. # 6,101,419).

Regarding claims 1 and 6, Kennedy et al. disclose a method for scheduling tasks in a wafer processing system comprising steps of adding at least one of said plurality of operations to an operation list (see fig. 3, col. 5, line 23-col. 6, line 16, and figs. 4-10, cols. 10-11); adding at least one of said plurality of operation list (see figs. 4-10, col. 6, lines 50-65, col. 7, lines 33-60, and col. 11, lines 11-33); switching an operation in said operation list to an active state (see figs. 4-10, col. 6, lines 50-65, col. 7, lines 33-60, and col. 11, lines 11-33); scheduling all operation in said operation list that are in the active state to run on said wafer processing system (see figs. 4-10, col. 6, lines 50-65, col. 7, lines 33-60, and col. 11, lines 11-33).

Regarding claims 2 and 7, Kennedy et al. disclose conditions for adding an operation to said operation list (see figs. 4-10, col. 6, lines 50-65, col. 7, lines 33-60, and col. 11, lines 11-33).

Regarding claims 3 and 8, Kennedy et al. disclose conditions for switching an operation list to an active state (see figs. 4-10, col. 6, lines 50-65, col. 7, lines 33-60, and col. 11, lines 11-33).

Regarding claims 4 and 9, Kennedy et al. disclose a recipe operation (see fig. 3, col. 5, line 23-col. 6, line 16, and figs. 4-10, cols. 10-11).

Regarding claim 5, Kennedy et al. disclose a recipe operation and a non-recipe operation (see fig. 3, col. 5, line 23-col. 6, line 16, and figs. 4-10, cols. 10-11).

Regarding claim 10, Kennedy et al. disclose a data structure for an operation to be performed on a wafer processing system comprising a first level including conditions for adding said operation to an operation list and conditions for switching said operation to an active state (see fig. 3, col. 5, line 23-col. 6, line 16, and figs. 4-10, col. 6, lines 50-65, col. 7, lines 33-60, and col. 11, lines 11-33).

Regarding claim 11, Kennedy et al. disclose a list of modules to be used by the operation (see fig. 3 col. 5, line 23-col. 6, line 16).

Regarding claims 12 and 13, these claims are rejected for the same reasons applied above rejected claims 4 and 9.

### **Conclusion**

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Douglas Lee, whose telephone number is (703) 305-6907. The examiner can normally be reached on Monday-Friday from 8:00AM- 4:30PM.

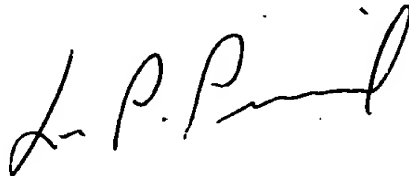
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Leo Picard*, can be reached on (703) 308-0538 or via e-mail addressed to *[leo.picard@uspto.gov]*. The fax number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to *[doug.lee@uspto.gov]*.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-5631.

**Douglas Lee**  
12/18/2003



**LEO PICARD**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**